

TRANSMITTAL LETTER

Inventor: Joern Lewin

Serial No: 10/578,627

Filed: 5-9-06

Notice of Allowance:

For: METHOD FOR INVESTIGATING CYTOSINE METHYLATION IN DNA SEQUENCES BY  
MEANS OF HEMI-METHYLATION SENSITIVE RESTRICTION ENZYMES

Group Art Unit: Unknown

Examiner: Unknown

Confirmation Number: 1410

Mail Stop PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith for the above-identified patent application are the following:

A Notification of Missing Requirements dated 1-31-07

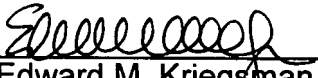
A Declaration and Power of Attorney

A Response to Requirement for Sequence Listing

A check for \$290 (\$65 declaration surcharge and \$225 2-month ext. of time)

A return postcard

The item(s) marked below are appropriate:

1. X Applicant(s) hereby petition(s) for a two (2) month extension of time to respond to a Notification of Missing Requirements dated January 31, 2007.2. X Please charge any fees or costs not accounted for to Deposit Account No. 11-1755.Date: May 31, 2007  
Edward M. Kriegsman  
Reg. No. 33,529

KRIEGSMAN &amp; KRIEGSMAN

30 Turnpike Road, Suite 9

Southborough, MA 01772

(508) 481-3500

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450: on May 31, 2007.  
Edward M. Kriegsman

06/06/2007 GFREY1 00000084 10578627

01 FC:2617  
02 FC:225265.00 OP  
225.00 OP



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/578,627	Joern Lewin	82326

23685  
 KRIEGSMAN & KRIEGSMAN  
 30 TURNPIKE ROAD, SUITE 9  
 SOUTHBOROUGH, MA 01772

INTERNATIONAL APPLICATION NO.	
PCT/EP04/12853	
I.A. FILING DATE	PRIORITY DATE
11/09/2004	11/09/2003

CONFIRMATION NO. 1410  
 371 FORMALITIES LETTER



\*OC000000022240046\*

Date Mailed: 01/31/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/09/2006
- Copy of the International Search Report filed on 05/09/2006
- Preliminary Amendments filed on 05/09/2006
- Information Disclosure Statements filed on 05/09/2006
- Oath or Declaration filed on 05/09/2006
- Request for Immediate Examination filed on 05/09/2006
- U.S. Basic National Fees filed on 05/09/2006
- Priority Documents filed on 05/09/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- **\$65 Surcharge.**

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/578,627	PCT/EP04/12853	82326

FORM PCT/DO/EO/905 (371 Formalities Notice)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
JOERN LEWIN	)	
	)	
Serial No.: 10/578,627	)	Group Art Unit: Unknown
	)	
Filed: May 9, 2006	)	Examiner: Unknown
	)	
For: METHOD FOR INVESTIGATING	)	Confirmation Number: 1410
CYTOSINE METHYLATION IN	)	
DNA SEQUENCES BY MEANS	)	
OF HEMI-METHYLATION	)	
SENSITIVE RESTRICTION	)	
ENZYMES	)	

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

RESPONSE TO REQUIREMENT FOR SEQUENCE LISTING

In the Notification of Missing Requirements dated January 31, 2007, in the above-identified patent application, the Patent Office sets forth a requirement that a Sequence Listing be submitted. For at least the reason below, Applicant respectfully traverses the aforementioned requirement for a Sequence Listing.


37 CFR 1.821 defines “[n]ucleotide sequences” to mean “an unbranched sequence of ten or more nucleotides.” Although the present applicant does disclose certain nucleotide sequences, none of these sequences includes ten or more nucleotides. Accordingly, Applicant respectfully submits

that the present application does not come within the purview of the Sequence Rules; consequently, no Sequence Listing should be required, and the outstanding requirement should be withdrawn.

If there are any fees due in connection with the filing of this paper that are not accounted for, the Examiner is authorized to charge the fees to our Deposit Account No. 11-1755. If a fee is required for an extension of time under 37 C.F.R. 1.136 that is not accounted for already, such an extension of time is requested and the fee should also be charged to our Deposit Account.

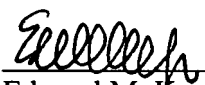
Respectfully submitted,

Kriegsman & Kriegsman

By:   
Edward M. Kriegsman  
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(508) 481-3500

Dated: May 31, 2007

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 31, 2007.

  
Edward M. Kriegsman